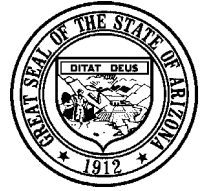


ARIZONA DEPARTMENT OF WATER RESOURCES

500 North Third Street, Phoenix, Arizona 85004
Telephone 602 417-2465
Fax 602 417-2467
www.water.az.gov



Application for Assignment of a Certificate of Assured Water Supply

This application

This application is for subdivisions that have already received a Certificate of Assured Water Supply (CAWS), but have had or will have a change in ownership, without an increase in the total water demand, or any other material change. A CAWS is issued based on a subdivision's plat and in the name of the property owner. The certificate is valid only for that owner and that plat. This application is to assign all or part of a CAWS to a new owner of a previously certificated subdivision, provided that the application meets the requirements of A.R.S. § 45-579.

Assignment

Pursuant to A.R.S. § 45-579 a holder of a CAWS may assign a CAWS in full or in part to a subsequent owner of a subdivision. A certificate of assured water supply may be assigned within ten years of the issue date of the original certificate. An assignment application may be filed more than ten years after the date the original certificate was issued if a minimum of five hundred lots have been sold to individual home buyers. A new certificate of assured water supply retaining the issuance date of the original certificate will be granted to a proposed assignee if the following criteria are met:

1. The applicant is the holder of a valid, previously issued CAWS.
2. The assignee owns or is acquiring all or a portion of a subdivision that has already been issued a certificate.
3. The subdivision plat, plan or map has not materially changed since the issuance date of the original certificate.
4. Either there is water delivery infrastructure in place that is capable of delivering water to each lot within the subdivision or the applicant has demonstrated financial capability to complete the infrastructure.
5. The water provider who will serve the subdivision has not changed since current certificate was issued and the provider has agreed to serve the subdivision after the assignment.
6. The source or sources of supply have not changed since the original certificate was issued.
7. All water rights, permits, licenses, contracts or easements necessary for the issuance of the current certificate have been transferred to the new owner or assignee as necessary to support water service to the subdivision. If the assignment is only a partial assignment (i.e., the new owner is acquiring only part of the certificated subdivision), the necessary water rights, permits, licenses, contracts or easements must also support water service to the retained portion of the subdivision.
8. The manner in which any water use by the subdivision satisfied the consistency with management goal requirements under the original Certificate has remained the same.

Partial Assignment

Pursuant to A.R.S. § 45-579(C), when a new owner has acquired or will be acquiring only part of a subdivision currently certificated under a single CAWS, the current holder of the CAWS may apply to assign a portion of the CAWS if all the requirements of A.R.S. § 45-579, listed above, are met.

When a partial assignment is approved, ADWR will issue two new certificates. One CAWS will be issued to the assignee or new owner for the portion of the subdivision associated with the assignment, and one CAWS will be issued to the assignor or applicant for the retained portion of the subdivision. The total water demand associated with the current (most recent and valid) CAWS will be proportionately allocated between the two new CAWS.

Addition of Optionee on a Certificate

This form also allows an abbreviated format for an anticipated change of ownership where the certificate holder still owns the property but wishes to add a future owner (optionee), and the requirements of A.R.S. § 45-579 are met. In this case, the certificate will be issued to the current certificate holder with the optionee's name added to the certificate. The new certificate will be valid for both the owner and future owner (optionee).

Note: This form may only be used if all of the above items apply. Please use the Application for a Certificate of Assured Water Supply form or the Change of Ownership form if you do not meet the qualifying criteria for an Assignment of a Certificate of Assured Water Supply.

If enough room is not provided on this form, please attach separate sheets as necessary.

NOTIFICATION OF AN APPLICATION FOR ASSIGNMENT OF A CERTIFICATE OF ASSURED WATER SUPPLY

This notice is to be completed by applicant. Please type or write information legibly. This form is to be used directly for the required web-posting. If information contained in this form is illegible, the application will be rejected. All information contained herein is provided by the applicant and has not been reviewed by the Department for accuracy.

Pursuant to Arizona Revised Statutes, Section 45-579, Subsection E, notice is hereby given that:

Name of applicant(s) (current Certificate holder): _____

Has/have applied to the Department of Water Resources to assign the Certificate of Assured Water Supply for:

NAME OF SUBDIVISION: _____

located within:

TOWNSHIP _____, **RANGE** _____, **SECTION(S)** _____
(GRBL&M)

COUNTY, _____ **AMA** _____

to:

Name(s) of Assignee: _____

The source of supply will be (water type(s)) _____

To be provided by (water provider(s) or dry lot) _____

This section to be completed by Department)

FILE NUMBER (DWR No. 27-)

Comments on an Application for the Assignment of a Certificate

Any person may submit a comment regarding the above referenced application to the Department of Water Resources by phone at (a toll-free number outside of the Phoenix metropolitan area) 1-800-352-8488, or by e-mail at assignmentcomment@adwr.state.az.us, or by U.S. mail or hand-delivery to 500 North 3rd Street, 4th Floor, Phoenix, AZ 85004 on or before _____ (14 days after notice is posted).

STATE OF ARIZONA
ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED AND ADEQUATE WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004-3903
(602) 417-2465 Fax: (602) 417-2467

DATE
RECEIVED:

APPLICATION NO:

**APPLICATION FOR ASSIGNMENT OF A
CERTIFICATE OF ASSURED WATER SUPPLY**

1. Enter subdivision name as it will appear on submittals to the platting entity and the Department of Real Estate.

2. Contact person: _____ Phone: _____ Fax: _____

Company: _____ E-Mail: _____

Address: _____

3. Give the location of the subdivision. Township _____ Range _____ Section(s) _____

City: _____ County: _____ AMA: _____

4. Will the subdivision be a "dry lot development" i.e., without a central distribution system? ____ Yes ____ No

If "No", is the water provider(s) that will be serving the subdivision the same water provider(s) as was identified on the original certificate? ____ Yes ____ No

The water provider(s) must be the same entity which signs the "Notice of Intent to Serve" form. If the provider(s) operate(s) more than one system please identify which system will be used to service this subdivision.

Water Provider: _____ System Name: _____

Secondary Provider (if any): _____ System Name: _____

5. Current certificate holder: _____

Phone: _____ Fax: _____ E-mail: _____

Address: _____

a. Name of subdivision as listed on current Certificate: _____

b. Is the current Certificate the initial (original) Certificate issued for this subdivision? ____ Yes ____ No

If "No", please provide name of subdivision as listed on **original** Certificate: _____

c. Please submit a copy of the **current** Certificate and reference attachment: _____

d. Date (mm/dd/yyyy) and certificate number of the **original** CAWS: _____

If more than 10 years has passed since the issuance of the original CAWS, has a total 500 or more lots within the subdivision been sold to individual home owners? ____ Yes ____ No

If "Yes", please provide proof and reference as attachment: _____

6. Assignee(s): _____

Phone: _____ Fax: _____ E-mail: _____

Address: _____

7. Is the assignee the current or future owner of the **entire** subdivision listed on the current Certificate? ____ Yes ____ No

If "No", this is an application for a partial assignment.

8. Have all water rights, permits, licenses, contracts and easements associated with the subdivision or assigned portion of the subdivision been transferred to the assignee(s)? ____ Yes ____ No

Note: This transfer of water rights does not include the water provider's service area rights.

If "Yes", please provide proof and reference as attachment: _____

If "No", please explain: _____

PART A – GENERAL INFORMATION

1. Please list all entities to be listed on the face of the new certificate and reference as attachment: _____
Note: If this is a partial assignment, two (or more) certificates will be generated: one for (each) assigned portion of the subdivision, and one for the remaining portion of the subdivision. Please list all entities that should appear on **each** certificate.
2. Please provide proof of ownership (such as a deed) or proof of intent to acquire the subdivision or portion of the subdivision (such as a purchase or option agreement) for each entity listed in response to Part A.1. and reference as attachment(s): _____
Note: If the Assignee or future owner is an entity (such as a trust), please provide a list of all beneficiaries with a 10% or greater interest in the entity and reference as attachment: _____
3. Please provide a copy of the current plat of the subdivision and a copy of the plat associated with the original Certificate application and reference as attachments: _____
If the subdivision for which you are applying is a portion of the current certificate, not its entirety, indicate on the plat the portion for which you are applying.
Is the plat of the subdivision for which you are applying identical to the plat associated with the original Certificate? ____ Yes ____ No
Note: If there have been any material changes to the plat since the issuance of the original CAWS, the Certificate cannot be assigned. Please use the Application for a Certificate of Assured Water Supply form.

PART B – DEMAND INFORMATION

Please provide the demand estimates for the subdivision (see Appendix A for examples of demand calculation). All demands associated with the current certificate must be accounted for.

Section A - Current Certificate Demand

Number of Lots associated with Current Certificate: _____ lots
Total Demand associated with Current Certificate: _____ af/yr

Section B - Assigned Subdivision Demand

Number of Lots associated with assigned subdivision: _____ lots
Total Demand associated with the assigned subdivision: _____ af/yr

Section C - Retained Subdivision Demand

If partial assignment:

Number of Lots Retained by Current Certificate Holder: _____ lots
Total Demand associated with lots retained by Current Certificate Holder: _____ af/yr

Note: The sum of the Total Demand in Sections B and C must equal the Total Demand in Section A. The Department suggests calculating the per-lot demand based on the total demand of Section A, and distributing the demand pro-rata between Sections B and C. Other reasonable methods may be appropriate.

PART C - LEGAL AVAILABILITY OF SOURCE WATER

Note: If this is a dry-lot subdivision (i.e., individual wells), skip this section and proceed to Part D below.

1. For subdivisions that will receive water through a central distribution system from a water provider:
 - a. Please submit a completed "Notice of Intent to Serve" form for each provider who will serve the assigned subdivision and reference as attachment(s): _____
Note: The "Notice of Intent to Serve" form must be signed by the owner of the assigned subdivision, and future owner (if any), and an authorized agent of the water provider.
 - b. Is the assigned subdivision located within each provider's current service area? ____ Yes ____ No
If "No", please explain how the service area will be expanded to incorporate the assigned subdivision and attach documentation as attachment(s): _____

c. Please indicate the type(s) of water to be delivered:

Source of Supply	Current Certificate 100 Year Volume (acre feet)		Assigned Subdivision 100 Year Volume (acre feet)		Retained Subdivision 100 Year Volume (acre feet)	
	Primary Provider	Secondary Provider	Primary Provider	Secondary Provider	Primary Provider	Secondary Provider
Groundwater						
Central Arizona Project Water Directly Delivered						
Surface Water Directly Delivered						
Effluent Directly Delivered						
Other						
Total 100 Year Volume						

d. Have any of the sources of water supply listed above changed since the issuance of the current CAWS?

_____ Yes _____ No

Note: If there have been any changes to the source of supply since the issuance of the current CAWS, the Certificate cannot be assigned. Please use the Application for a Certificate of Assured Water Supply form.

2. If the subdivision will be receiving any water pursuant to an exchange agreement, please provide a copy of the agreement and reference the attachment:_____

PART D - CONSISTENCY WITH MANAGEMENT GOAL

Note: If this is a dry lot subdivision comprised of 20 lots or fewer, skip this section and proceed to Part F below.

Please indicate the manner in which the original Certificate satisfied the Consistency with Management Goal and how the assigned subdivision satisfies the Consistency with Management Goal. Please check all that apply below:

	Original Certificate	Assigned Subdivision	Attachments
Enrollment of the subdivision lands in the Central Arizona Groundwater Replenishment District (Phoenix, Tucson and Pinal AMAs ONLY)			
Extinguishment of grandfathered groundwater rights dedicated to this subdivision			Please attach a copy of the "Notification of Conveyance of Assured Water Supply Credits" filed with the AMA, and reference as attachment:
Dedication of Long-Term Storage Credits (Recharge)			Provide evidence and reference the attachment:
Exemption for the withdrawal and use of poor quality water pursuant to a remedial action			Provide evidence that the exemption has been granted by the Director and reference as an attachment:
Exemption for the withdrawal and use of groundwater from an area exempt from conservation requirements due to water logging.			Provide evidence that the exemption has been granted by the Director and reference as an attachment:

Note: If there has been a change the manner in which the Consistency with Management Goal is met since the issuance of the original CAWS, the Certificate cannot be assigned. Please use the Application for a Certificate of Assured Water Supply form.

PART E – FINANCIAL CAPABILITY

Note: If development is a dry lot subdivision, skip this section and proceed to Part F below.

Is water service currently available to each lot in the subdivision, or portion thereof, to be assigned? ____Yes ____No

If "No":

a. Submit an executed copy of the "Verification of Construction Assurance" form (attached) signed by the platting authority and reference as attachment: _____

b. If wells, off-site pipelines, storage or treatment facilities will be constructed to serve this subdivision, please provide:

1. Evidence of financial capability (reference the attachment): _____
2. A description of the improvements and schedule for completion (reference the attachment): _____

PART F - FEES

Please calculate fees by completing the appropriate items below, and include the total fees with your application. Payment may be made by cash, check, or in some cases, by entry in an existing Department fee credit account. Checks should be made payable to the Department of Water Resources. **Failure to enclose the required fees will cause the application to be returned. Fees for certificates of assured water supply are authorized by A.R.S. § 45-113.**

1. Basic Application fee (includes first 20 lots)		\$250.00
2. Per-lot review fee (for lots in excess of the first 20):		
Total lots included in current certificate:	_____	
Less first 20 lots	_____ -20	
Lots subject to additional review fees	_____ x \$0.40 per lot:	\$ _____
3. TOTAL FEE DUE (add items #1 and #2)	<u>NOT TO EXCEED \$1,000</u>	\$ _____

Please ensure all attachments and appropriate fees are included.

I DO HEREBY certify that the information contained in this application and all information accompanying it is true and correct to the best of my knowledge and belief.

Note: If the signators are persons other than current certificate holder(s) or proposed assignee(s), please provide proof of legal authority to sign on that party's behalf.

Name and Title of Current Certificate Holder or Authorized Agent: _____

Signature of Current Certificate Holder or Authorized Agent: _____ Date _____

Name and Title of Assignee or Authorized Agent: _____

Signature of Assignee or Authorized Agent: _____ Date _____

Arizona Department of Water Resources

Office of Assured and Adequate Water Supply

(602) 417-2465

Doug Dunham

E-mail: dwdunham@adwr.state.az.us

Pam Nagel

E-mail: pmnagel@adwr.state.az.us

Norma Coupaud

E-mail: njcoupaud@adwr.state.az.us

General Assistance:

Phoenix AMA - (602) 417-2465

John Schneeman or

Gerald Rathke

Tucson AMA - (520) 770-3800

Virginia Welford, or

Pam Nagel (602) 417-2465

Pinal AMA - (520) 836-4857

Joe Singleton or

Norma Coupaud (602) 417-2465

Prescott AMA - (928) 778-7202

Jack McCormack, or

Pam Nagel (602) 417-2465

Santa Cruz AMA - (520) 761-1814

Edward Shaffer or

Doug Dunham (602) 417-2465

Arizona Department of Real Estate

2910 North 44th Street, Suite 100

Phoenix, AZ 85018

(602) 468-1414 x400

DID YOU REMEMBER?

To completely fill-out the application form?

To include three copies of preliminary plat?

To include a signed Notice of Intent to Serve?

To include a signed Verification of Construction Assurance form?

To include all documents referenced in the application?

To include correctly calculated fees?

To have application signed by an authorized agent and include proof of the authorization?

ARIZONA DEPARTMENT OF WATER RESOURCES

OFFICE OF ASSURED WATER SUPPLY

500 NORTH THIRD STREET

PHOENIX, ARIZONA 85004

(602) 417-2465

SUPPLEMENT TO APPLICATION FOR A CERTIFICATE OF ASSURED WATER SUPPLY

VERIFICATION OF CONSTRUCTION ASSURANCE FOR A PROPOSED SUBDIVISION

To satisfy one of the requirements for obtaining a Certificate of Assured Water Supply pursuant to A.R.S. § 45-576, a developer must demonstrate financial capability to construct the water delivery system and any required storage or treatment facilities for a proposed subdivision. To fulfill this requirement, the Department will accept confirmation from the local platting authority that construction assurances will be secured prior to the sale of lots in accordance with the requirements of A.R.S. § 9-463.01 (if the platting entity is a city or town) or A.R.S. § 11-806.01 (if the platting entity is a county). This document is to be signed by the appropriate platting authority.

Section One - Subdivision Information (to be completed by applicant)

Subdivision name: _____ # of lots: _____

Location by section, township & range: _____ County: _____

Owner of subdivision: _____

Owner's address: _____

Future Owner(s): _____

Section Two - Verification of Construction Assurance (to be completed by platting authority)

With regard to the referenced subdivision, the below-named platting authority certifies that it has or will receive construction assurances, pursuant to the appropriate statutes, for the following elements of the water delivery system (check as applicable):

___potable delivery system ___potable storage facilities ___potable treatment facilities

___off-site pipeline ___effluent delivery system ___effluent treatment facilities

___other-please specify: _____

Name-Please Print/Type Signature Date Title

City/county name: _____ Department: _____

Address: _____ Phone #: _____

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

NOTICE OF INTENT TO SERVE FOR PRIVATE WATER COMPANIES

Subdivision/Development Name: _____

Original Owner: _____

Future Owner(s): _____

Private Water Company Name: _____

(If the water provider has several divisions, please specify in which service area the subdivision is located)

ADWR Service Area Right Number: 56-_____ ADEQ Public Water System Number: _____
(Number can be found on ADWR Annual Reports) (Please indicate the number valid for this subdivision)

Is the development located within the water provider's existing operating distribution system? ___Yes ___No
If no, will the water provider be extending a service area line to the development? ___Yes ___No
If no, will the water provider be establishing a new service area right to serve the development? ___Yes ___No
If yes, what type of right will be used to establish the service area right
If the development is not within the water provider's operating distribution system, a new service area right must be established before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

Is the development within the water provider's existing Certificate of Convenience and Necessity (CC&N)? ___Yes ___No
If no, has an application for an extension of the CC&N been filed? ___Yes ___No
If yes, date of submittal: _____ Approved? ___Yes ___No
Please include a copy of the application for extension and reference as an attachment:
If the development is not within the water provider's CC&N, a Certificate of Assured Water Supply will not be issued until the CC&N has been extended to include the development.

# of lots	Persons per housing unit	Residential demand	Non-residential demand	Construction demand	Lost & unaccounted (10%)	Total demand	Gallons per person per day

The undersigned private water company (PWC) agrees to provide to the development indicated above an amount of water sufficient to satisfy the water demands of the development as estimated above. This Notice of Intent to Serve is conditioned upon the PWC's receipt of necessary approvals from the Arizona Corporation Commission and other regulatory agencies and the PWC's receipt of all necessary payments. The PWC further attests that the development is either within the boundaries of the company's existing Certificate of Convenience and Necessity or that a formal request has been filed with the Arizona Corporation Commission to extend the boundaries to include the development. The PWC further attests that the development is either within the operating distribution system or that a new service area right will be established to serve the development. The PWC acknowledges that it has reviewed the total estimated water demand of this subdivision and understands the effect of this demand on its compliance with applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the PWC authorized to sign the agreement:

Private Water Company's Authorized Agent (please type or print):

Signature of Authorized Agent of Private Water Company Title Date

Signature of Owner Title Date

Signature of future Owner(s) Title Date

ARIZONA DEPARTMENT OF WATER RESOURCES

OFFICE OF ASSURED WATER SUPPLY

500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

NOTICE OF INTENT TO SERVE FOR PROVIDERS NOT REGULATED BY THE ARIZONA CORPORATION COMMISSION*

Subdivision/Development Name: _____

Owner: _____

Future Owner(s): _____

Municipal Water Provider Name: _____

(If the water provider has several divisions, please specify in which service area the subdivision is located)

ADWR Service Area Right Number: 56- _____ ADEQ Public Water System Number: _____
(Number can be found on ADWR Annual Reports) (Please indicate the number valid for this subdivision)

Type of Municipal Water Provider? ☐ City or Town ☐ Irrigation District ☐ Water Improvement District
☐ Homeowners' Association ☐ Other(explain) _____

If a homeowners' association, please provide the documents that establish the HOA and evidence from the Arizona Corporation Commission (ACC) that the HOA is "not for publicservice," and not subject to regulation by the ACC.

Is the subdivision to be served by the water provider's existing operating distribution system? ☐ Yes ☐ No

If no, will the water provider be establishing a new service area right to serve the development? ☐ Yes ☐ No

If yes, what type of right will be used to establish the service area right

If the development is not within the water provider's operating distribution system, a new service area right must be established before a Certificate of Assured Water Supply will be issued. Please contact your local AMA office for more information on establishing a new service area right.

# of lots	Persons per housing unit	Residential demand	Non-residential demand	Construction demand	Lost & unaccounted (10%)	Total demand	Gallons per person per day

The undersigned water provider agrees to provide to the development indicated above an amount of water sufficient to satisfy the water demands of the development as estimated above. This Notice of Intent to Serve is conditioned upon the provider's receipt of necessary approvals from the relevant regulatory agencies and the provider's receipt of all necessary payments. The water provider further attests that the development is either within the operating distribution system or that a new service area right will be established to serve the development. The water provider also acknowledges that it has reviewed the total estimated water demand of this subdivision and understands the effect of this demand on its compliance with applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the water provider authorized to sign the agreement:

Water Provider's Authorized Agent (please type or print): _____

Signature of Authorized Agent of Water Provider Title Date

Signature of Owner Title Date

Signature of future Owner(s) Title Date

*Pursuant to R12-15-703 (D)(7), this form only meets the requirements of legal availability for those subdivisions served by a city or town. If water will be served by another entity, there may be other requirements for proving legal availability of supply.

ARIZONA DEPARTMENT OF WATER RESOURCES
OFFICE OF ASSURED WATER SUPPLY
500 NORTH THIRD STREET
PHOENIX, ARIZONA 85004
(602) 417-2465

**NOTICE OF INTENT TO SERVE
UNTREATED WATER BY IRRIGATION DISTRICTS**

Subdivision/Development Name: _____

Owner: _____

Future Owner(s): _____

Irrigation District Name: _____

ADWR Service Area Right Number: 57-_____ (Number can be found on ADWR Annual Reports)

Is the subdivision to be served within the irrigation district's service area? ____ Yes ____ No

1	2	3	4	5
Number of Lots	Estimated Demand per Housing Unit Served by Irrigation District	Estimated Residential Demand (af/yr) Served by Irrigation District	Estimated Other Demand (af/yr) Served by Irrigation District	Total Estimated Annual Demand (af/yr) Served by District

The undersigned irrigation district agrees to provide to the development indicated above an amount of untreated water sufficient to satisfy part of the water demands of the development as estimated above, subject to the law of priority and other applicable laws, including laws relating to the distribution of water in the event of shortage, and the terms and conditions of service imposed by the irrigation district. This Notice of Intent to Serve is conditioned upon the irrigation district's receipt of any necessary approvals from the relevant regulatory agencies and the irrigation district's receipt of all necessary payments. The irrigation district further attests that the development is within the irrigation district's service area and is eligible to receive untreated water deliveries from the irrigation district for Non-Irrigation Use by the subdivision. The irrigation district also acknowledges that it has reviewed the estimated water demand of this subdivision, as listed above, and understands the effect of this demand on its compliance with any applicable conservation targets prescribed in the management plan for the Active Management Area. This Notice of Intent To Serve Agreement is agreed to under the signature of an agent of the irrigation district authorized to sign the agreement:

Irrigation District's Authorized Agent (please type or print): _____

_____ Signature of Authorized Agent of Irrigation District	_____ Title	_____ Date
---	----------------	---------------

_____ Signature of Owner	_____ Title	_____ Date
-----------------------------	----------------	---------------

_____ Signature of future Owner(s)	_____ Title	_____ Date
---------------------------------------	----------------	---------------